

REMARKS

This paper is in response to the final official action of October 31, 2005, wherein Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Easter et al. (US 6,214,732 B1). This rejection is respectfully traversed. Reconsideration is requested.

The examiner has recognized that Easter fails to specifically disclose a step wherein, if the concentration of the material within the initial polishing layer is reduced and the concentration of the material within the polishing stop layer is increased, continuing performing the polishing process under a reduced polishing pressure, as recited in amended claim 1. The examiner has postulated, without pointing support in the references, that this technical feature would have been provided as a result of using Easter's endpoint detection method in the same manner as those of the claimed invention.

In the fourth step of claim 1, increasing of the concentration of the material within the polishing stop layer means that the polishing stop layer is exposed. It is common practice to stop the polishing process when the polishing stop layer is exposed. In addition, the polishing process may also be performed further to sufficiently polish the polishing layer after the polishing stop layer is exposed. However, to reduce the polishing pressure, and to continue to performing the polishing process as recited in amended claim 1, when the polishing stop layer is exposed, is not a common process, nor is it shown or suggested in the cited art.

Accordingly, the applicants believe that the claim 1 is distinguishable from and is patentable over the cited reference.

Entry of the foregoing amendments as placing the applicants in better form for allowance or appeal is believed proper. The amendments could not have been presented earlier, as they are being made in response to rejections raised for the first time in the most recent action.


It is submitted that the application is in condition for allowance. Should the examiner wish to discuss any matter of form or procedure in an effort to advance this

application to allowance, she is respectfully invited to telephone the undersigned attorney at the indicated telephone number.

Respectfully submitted,

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